

**UNITED STATES OF AMERICA
DISTRICT OF NEW JERSEY
MINUTES OF PROCEEDINGS**

NEWARK

July 10, 2008

Judge Chesler

COURT REPORTER: KASHMER

Docket No: 04-11

TITLE OF CASE

USA

V.

GEORGE VIEIRA

APPEARANCE:

John Fietkiewicz, AUSA

James Cecchi, Esq., and Paul Fishman, Esq. For defendant

NATURE OF PROCEEDINGS:

(NON-CONTESTED SENTENCE- 1 hour)

Court granted downward departure application

SENTENCE: 4 months on counts one and two to be served concurrently

SUPERVISED RELEASE: 3 years on counts one and two to be served concurrently

Based upon the information presented, the defendant is excused from the mandatory drug testing provision, etc.

SPECIAL CONDITIONS:

The defendant shall provide the U. S. Probation Office with full disclosure of his financial records to include yearly income tax returns upon the request of the U. S. Probation Office, etc.

The defendant is prohibited from incurring any new credit charges or opening additional lines of credit without approval of the probation officer, unless the defendant is in compliance with a payment schedule for any fine and restitution obligation, etc.

The defendant shall cooperate with DNA

U.S. DISTRICT COURT

GEORGE VIEIRA

It is further ordered that the defendant shall make restitution in the total amount of \$6,648,050.35. The Court will waive the interest requirement in this case. Payments should be made payable to the U.S. Treasury and forwarded to the Clerk of the Court in Trenton, NJ, for proportionate distribution to the following victims in the following amounts:

John McDonald, Senior VP Bank of America, N.A. 111 Westminster Street R11-102-16-01 Providence, RI 02903	\$4,340,050.35
--	----------------

Mark Lebovich, Esquire Bernstein Litowitz Berger & Grossman, LLP 1285 Avenue of the Americas New York, NY 10019	\$2,308,000.00
--	----------------

The amounts ordered represent the total amounts due to the victims for these losses. The defendant's restitution obligations shall not be affected by any restitution payments made by other defendants in this case, except that no further payments shall be required after the sums of the amounts actually paid by all defendants has fully satisfied these losses. The following defendant(s) in the following case(s) may be subject to restitution orders to the same victims for these same losses:

Jack Gaglio	Cr. No.: 05-141
Mark Cocchiola	Cr. No.: 05-533
Steven Venechanos	Cr. No.: 05-533
Robert Quattrone	Cr. No.: 04-13
Lawrence Fransen	Cr. No.: 04-10
Arthur Christensen	Cr. No.: 07-32

The restitution is due immediately. It is recommended that the defendant participate in the Bureau of Prisons Inmate Financial Responsibility Program (IFRP). If the defendant participates in the IFRP, the restitution shall be paid from those funds at a rate equivalent to \$25 every 3 months. In the event the entire restitution is not paid prior to the commencement of supervision, the defendant shall satisfy the amount due in monthly installments of no less than \$25⁰⁰ to commence 30 days after release from confinement.

The defendant shall notify the United States Attorney for this district within 30 days of any change of mailing or residence address that occurs while any portion of the fine remains unpaid.

SPECIAL ASSESSMENT: \$200.00, which shall be due immediately.

Ordered defendant to voluntarily surrender by 8/10/08 in order for the defendant to attend his Daughter's Graduation on December 15, 2008

The Court makes the following recommendations to the Bureau of Prisons: that the defendant shall be designated to the camp at FCC LOMPOC or any Level One Facility nearest to family

11:55 a.m. to 1:00 p.m.

Theresa C. Trivino, Senior Courtroom Deputy